

)	MDL No. 1456
In re: PHARMACEUTICAL INDUSTRY)	Master File No. 01-12257-PBS
AVERAGE WHOLESALE PRICE LITIGATION)	Subcategory Case No. 06-11337
)	
)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO:)	
)	
<i>State of California ex rel. Ven-A-Care of the Florida</i>)	
<i>Keys, Inc. v. Abbott Labs, Inc. et al.,</i>)	
Civil Action No. 03-11226-PBS)	
)	

PLEASE TAKE NOTICE THAT, upon the annexed Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, the accompanying memorandum of law, and all prior proceedings had herein, Defendant Sandoz Inc. will move this Court for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in favor of Defendant on Plaintiff State of California's claims for relief, and for such other and further relief as the Court deems just and proper at the time to be decided by the Court.

NEWYORK 7405276 (2K)

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CERTIFICATE OF SERVICE

I, Jacqueline L. Chung, hereby certify that on November 25, 2009, I have caused true and correct copies of the foregoing Notice of Defendant Sandoz Inc.'s Motion for Summary Judgment to be served on all counsel of record by electronic service, pursuant to the Case Management Order No. 2 entered in by Honorable Patti B. Saris in MDL 1456.

/s/ Jacqueline L. Chung
Jacqueline L. Chung